

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH DIGENOVA,
Plaintiff,

v.

UNITE HERE LOCAL 274, et al.,
Defendants.

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CIVIL ACTION NO. 18-CV-1883

ORDER


AND NOW, this 8th day of June, 2018, upon consideration of Plaintiff Joseph DiGenova's Motion to Proceed *In Forma Pauperis* (ECF No. 6), his *pro se* Complaint (ECF No. 2), and his Motion for Appointment of Counsel (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED** without prejudice pursuant to Federal Rule of Civil Procedure 8(a) in accordance with the Court's Memorandum.
4. DiGenova may file an amended complaint within thirty (30) days of the date of this Order in the event he can state a plausible basis for a claim. Any amended complaint must identify all Defendants in the caption and must state the basis for DiGenova's claims and how each Defendant is responsible for violating DiGenova's rights. DiGenova should not rely heavily on exhibits to state a claim and should not rely on other pleadings filed in this case to state a claim. Upon the filing of an amended complaint, the Clerk shall not make service until so **ORDERED**.
5. The Motion for Appointment of Counsel is **DENIED without prejudice** to reassertion in the event DiGenova files an amended complaint.

6. The Clerk of Court shall **SEND** DiGenova a blank copy of the Court's form complaint for a non-prisoner filing a civil action bearing the civil action number of this case. DiGenova may use this form to file his amended complaint.

7. If DiGenova fails to file an amended complaint, his case may be dismissed without prejudice for failure to prosecute without further notice.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'MB', is written over a solid horizontal line.

MICHAEL M. BAYLSON, J.